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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	COATED PARTICLES FOR SUSTAINED-RELEASE PHARMACEUTICAL ADMINISTRATION
As the below named inventor(s), I/we declare that: This declaration is directed to: <input type="checkbox"/> The attached application, or <input checked="" type="checkbox"/> Application No. <u>US03/41391</u> , filed on <u>12/22/2003</u> , <input type="checkbox"/> as amended on _____ (if applicable); I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought; I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above; I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.	

FULL NAME OF INVENTOR(S)	
Inventor one:	<u>Thomas J. SMITH</u>
Signature: <u></u>	Citizen of: <u>Canada</u>
Inventor two:	_____
Signature: _____	Citizen of: _____
Inventor three:	_____
Signature: _____	Citizen of: _____
Inventor four:	_____
Signature: _____	Citizen of: _____
<input type="checkbox"/> Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.	

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Dated: _____	Signature: _____ (_____)

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Thomas J. SMITH

Application No./Patent

No./Control No.:

10/538589

Filed/Issue Date:

June 15, 2005Entitled: COATED PARTICLES FOR SUSTAINED-RELEASE PHARMACEUTICAL ADMINISTRATIONSt. James Associates LLC/Faber Research Series

(Name of Assignee)

, a

corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.

(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.**As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.****[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]**

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Tom Smith
Signature4/18/06
DateThomas Smith
Printed or Typed Name626-376-4070
Telephone NumberINVENTOR / TRUSTEE
Title

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: _____ Signature: _____

ASSIGNMENT

WHEREAS, I, **Thomas J. Smith**, a citizen of Canada and residing at 240 Taos Road, Altadena, California 91001, USA; am the inventor of certain new and useful inventions and discoveries which are disclosed in the following patent applications:

Application No.	Filing Date	Country	Title
60/435,163	20 December 2002	US	Large crystalline formulations for sustained release delivery of alkylating agents
60/435,416	20 December 2002	US	Large crystalline formulations for sustained release delivery of aminoglycosides
60/435,445	20 December 2002	US	Large crystalline formulations for sustained release delivery of angiotensin II receptor antagonists
60/435,415	20 December 2002	US	Large crystalline formulations for sustained release delivery of antibiotics for the prophylaxis or treatment of anthrax
60/435,448	20 December 2002	US	Large crystalline formulations for sustained release delivery of anti-Parkinson agents
60/435,449	20 December 2002	US	Large crystalline formulations for sustained release delivery of anti-biotics
60/435,447	20 December 2002	US	Large crystalline formulations for sustained release delivery of antidepressants
60/435,506	20 December 2002	US	Large crystalline formulations for sustained release delivery of antiepileptics
60/435,505	20 December 2002	US	Large crystalline formulations for sustained release delivery of antimetabolites
60/435,507	20 December 2002	US	Large crystalline formulations for sustained release delivery of atypical antipsychotics
60/435,496	20 December 2002	US	Large crystalline formulations for sustained release delivery of beta blockers

Application No.	Filing Date	Country	Title
60/435,075	20 December 2002	US	Large crystalline formulations for sustained release delivery of calcium channel blockers
60/435,423	20 December 2002	US	Large crystalline formulations for sustained release delivery of camptothecins
60/435,336	20 December 2002	US	Large crystalline formulations for sustained release delivery of cephalosporin antibiotics
60/435,630	20 December 2002	US	Large crystalline formulations for sustained release delivery of corticosteroids
60/435,372	20 December 2002	US	Large crystalline formulations for sustained release delivery of epididymolotoxins
60/435,106	20 December 2002	US	Large crystalline formulations for sustained release delivery of fluoroquinolones
60/435,388	20 December 2002	US	Large crystalline formulations for sustained release delivery of HMG Co-A reductase inhibitors
60/435,632	20 December 2002	US	Large crystalline formulations for sustained release delivery of immunosuppressive agents
60/435,557	20 December 2002	US	Large crystalline formulations for sustained release delivery of local anesthetics
60/435,558	20 December 2002	US	Large crystalline formulations for sustained release delivery of macrolide antibiotics
60/435,132	20 December 2002	US	Large crystalline formulations for sustained release delivery of methadone
60/435,497	20 December 2002	US	Large crystalline formulations for sustained release delivery of non-nucleoside reverse transcriptase inhibitors
60/435,494	20 December 2002	US	Large crystalline formulations for sustained release delivery of opiates

Application No.	Filing Date	Country	Title
60/435,508	20 December 2002	US	Large crystalline formulations for sustained release delivery of penicillin antibiotics
60/435,501	20 December 2002	US	Large crystalline formulations for sustained release delivery of HIV protease inhibitors
60/435,565	20 December 2002	US	Large crystalline formulations for sustained release delivery of platinum coordination complexes
60/435,038	20 December 2002	US	Large crystalline formulations for sustained release delivery of nucleoside reverse transcriptase inhibitors
60/435,037	20 December 2002	US	Large crystalline formulations for sustained release delivery of taxanes
60/435,162	20 December 2002	US	Large crystalline formulations for sustained release delivery of tetracycline antibiotics
60/435,338	20 December 2002	US	Large crystalline formulations for sustained release delivery of anti-tuberculosis agents
60/435,509	20 December 2002	US	Large crystalline formulations for sustained release delivery of vinca alkaloids
60/435,495	20 December 2002	US	Large crystalline formulations for sustained release delivery of angiotensin converting enzyme inhibitors
60/450,722	28 February 2003	US	Large crystalline formulations for sustained release delivery of estrogen receptor modulators
60/454,997	14 March 2003	US	Large crystalline formulations for sustained release delivery of isoflavones
10/538,589	15 June 2005	US	Coated particles for sustained-release pharmaceutical administration
2003299982	22 December 2003	AU	Coated particles for sustained-release pharmaceutical administration

Application No.	Filing Date	Country	Title
2510320	22 December 2003	CA	Coated particles for sustained-release pharmaceutical administration
03800247.3	22 December 2003	EP	Coated particles for sustained-release pharmaceutical administration
2005-510069	22 December 2003	JP	Coated particles for sustained-release pharmaceutical administration
US2003/41391	22 December 2003	PCT	Coated particles for sustained-release pharmaceutical administration

WHEREAS, **St. James Associates LLC/Faber Research Series**, whose address is 240 Taos Road, Altadena, California 91001, USA, which, together with its successors and assigns is hereinafter called "ASSIGNEE," is desirous of acquiring the title, rights, benefits, and privileges hereinafter recited;

NOW, THEREFORE, for and in consideration of my employment by ASSIGNEE and other valuable consideration furnished by ASSIGNEE to me, receipt and sufficiency of which I hereby acknowledge, I hereby, without reservations:


1. Assign, transfer, and convey to ASSIGNEE the entire right, title, and interest in and to said inventions and discoveries, said United States Patent Applications, any and all other applications for Letters Patent(s) on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation, continuation-in-part, reexamination and convention applications based in whole, or in part, upon said inventions or discoveries, or upon said United States Patent Applications, and any and all Letters Patent(s), reissues, and extensions of Letters Patent(s) granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon, or arise from, said inventions, said discoveries, said applications, and said Letters

Patent(s);

2. Authorize ASSIGNEE to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of ASSIGNEE or otherwise as ASSIGNEE may deem advisable, under International Conventions or otherwise;
3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments throughout the world to issue or transfer all said Letters Patent(s) to ASSIGNEE, as assignee of the entire right, title, and interest therein or otherwise as ASSIGNEE may direct;
4. Warrant that I have not knowingly conveyed to others any right in said inventions, discoveries, applications, or patents, or any license to use the same, or to make, use, or sell anything embodying or utilizing any of said inventions or discoveries; and that I have good right to assign the same to ASSIGNEE without encumbrance;
5. Bind my heirs, legal representatives, and assigns, as well as myself, to do, upon ASSIGNEE's request and at ASSIGNEE's expense, but without additional consideration to either myself or them, all acts reasonably serving to assure that said inventions and discoveries, said patent applications, and said Letters Patent(s) shall be held and enjoyed by ASSIGNEE as fully and entirely as the same could have been held and enjoyed by myself, my heirs, legal representatives, and assigns if this Assignment had not been made; and particularly to execute and deliver to ASSIGNEE all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by ASSIGNEE; and to communicate to ASSIGNEE all facts known to me relating to said inventions and discoveries or the history thereof, and to testify as to the same in any court or proceeding; and to furnish ASSIGNEE any and all documents, photographs, models, samples, and other physical exhibits in my control or in the control of my heirs, legal

representatives, or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

Signed at ALTADENA this 20th day of MARCH, 2006.



Signature of **Thomas J. Smith**

Witness Statement

I, Ellen Doble-Smith Steel, whose full post office address is 240 Taos Road
Altadena CA 91001,
state that I was personally present and did see **Thomas J. Smith**, who is personally known to me to be the person named in the above assignment, duly sign and execute the same on the date set forth above.



(Signature of Witness)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number: 23483

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email


Assignee Name and Address:

St. James Associates LLC/Faber Research Series
240 Taos Road
Altadena, CA 91001

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	4/18/06
Name	Thomas Smith	Telephone	626-396-4070
Title	Inventor / Manager		

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: _____ Signature: _____ (_____)